



## HISTORY IS MADE WITH SIGNING OF NEW CONTRACT

The members of the Union of Taxation Employees have voted in favour of accepting a tentative agreement with the Canada Revenue Agency. The settlement was negotiated before the expiry date of the old agreement, a remarkable achievement in the federal public sector.

Betty Bannon, our National President stated members were impressed with the speed of the negotiations. *"We achieved a goal the union set when the Agency was first formed, to eventually be able to negotiate a new agreement before the old one had expired."* While we achieved an agreement in record time, we did not sacrifice important demands in the process. Significant gains were made in wages, job security for term workers and improved benefits for part-time workers.

This agreement sees the conversion of former classifications in the bargaining unit to a new Agency Classification Standard. While the amounts will vary by individual, the average increase as a result of the conversion is 1.67%. After the salaries are converted to the new standard effective November 1, 2007 the workers will also receive an economic increase of 2.5%. Further wage increases during the life of the contract are 2.5% effective November 1, 2008, and 2.5% effective November 1, 2009.

Over 400 term workers will immediately see a change in their status as a result of a change in the Agency's term employment policy. Effective November 1, 2007, term workers who have accumulated five years of service, without a break of 30 days, will automatically become indeterminate. Part-time workers will now enjoy enhanced benefits including improved overtime provisions. Overall, there are improvements to personal and bereavement leaves and some improvement in vacation leave.

The UTE was able to reach a tentative agreement by conducting intensive negotiations over a total period of just under 20 days. Our new agreement, which will expire on October 31, 2010, was signed on December 3, 2007.

### CONGRATULATIONS TO ALL INVOLVED.



BETTY BANNON SIGNING THE CONTRACT



YOUR NEGOTIATION TEAM

**SI VOUS PRÉFÉREZ AVOIR CE COMMUNIQUÉ EN FRANÇAIS, VEUILLEZ VOUS ADRESSER À VOTRE PRÉSIDENT- E DE SECTION LOCALE**

## **SNOWSTORMS AND GETTING TO WORK**

Every year, members request leave under Article 54.01(a) of our collective agreement, (leave with pay when circumstances not directly attributable to the employee prevent his or her reporting for duty, such leave shall not be unreasonably withheld), because weather conditions kept them from getting to work.

The majority of these requests are denied and the employer requests that the members take annual leave.

If you are in a situation where the weather is such that it is not possible for you to get to work, please ensure that you have made reasonable efforts to get in and document this. Examples of things to document are:

- Road closures by local or provincial government
- Directives to stay off roads by police
- Public transportation shut downs, etc.

Listed below are examples of things that you can do in terms of attempting to get to work:

- Getting a ride from neighbours
- Using public transportation, etc.

In all situations, record what you did including the name of individuals, etc. By doing this, it does not guarantee that the employer will grant the leave but it will certainly make a strong case to challenge the employer's denial through a grievance, and then to adjudication at the Public Service Labour Relations Board (PSLRB).

This article deals with snowstorms but in any case where you are prevented from reporting for duty due to circumstances beyond your control, document all your efforts to report for work, as this will always assist you in making your case to the employer.

*Pierre Mulvihill  
Labour Relations Officer*



### **UTE UPCOMING EVENTS**

**March 21st  
Deadline for  
Resolutions to the  
Triennial  
Convention**

**April 1st to 6th  
Executive Council and  
Presidents  
Conference  
Ottawa**

**May 8th to 10th  
Pre convention  
Committees  
Ottawa**

## **PENSION SURPLUS LITIGATION DECISION A BIG DISAPPOINTMENT**

The Court submitted its decision on our pension surplus litigation, rejecting all of our claims. Justice Panet dismissed our claims on the Employer's breach of trust, fiduciary duty and the obligations to plan members. In his judgment, he found that Bill C-78 (the amending legislation), authorizes the Employer (the government) to essentially steal the more than \$30 billion pension surplus and found that our members cannot claim discrimination under the Canadian Charter. The judge's findings seem to rest solely on the basis that our pension plans are legislated plans. We are deeply disturbed that because these pensions are established by legislation, the workers who have contributed to the surplus are barred from having access to that surplus. We will be studying the Court's decision in detail in the next few days, and, in consultation with our lawyers, we will determine the best way to proceed. Watch our web site for updates and more details on the Court decision.

## BARGAINING/THANK YOU/DEBRIEFING

Happy New Year Brothers and Sisters. Your new contract has been ratified and it is now time for me to attend to the customary thank you. I would like to thank the members of the bargaining team for their dedication, determination and availability. I extend a warm thank you to our Negotiator Gaby Lévesque, and to Seth Sazant our PSAC Research Officer. A special thank you must go to the families of the team members who gave up their companionship during the negotiations. My thanks also goes to the members of the UTE Executive Council for their support and co-operation and to the staff of UTE and PSAC who worked directly or indirectly in this bargaining process. To finish, it would be unthinkable to not thank the presidents of the Union Locals and the members of their Executive Councils and especially to all of the UTE MEMBERS who showed their support when it was needed.

This agreement, although historic and ratified by a solid majority of members, is not perfect. Collective Bargaining is a continuous process. We recognize our expectations were only partly met. We must start preparing for our next bargaining process. We would be irresponsible if we did not analyse all the steps in this bargaining process with the aim of making improvements, if needed. To start this exercise, the Standing Bargaining Committee will be called upon for their input. They will need to consider, if required, making recommendations to the UTE Executive Council for our Convention and for the PSAC Convention.

Our work continues, but for now, let's enjoy the holiday season in order to rest and step back for a bit. To you all, I offer you my sincerest wishes for a new year full of love, dreams of joy and happiness, and all of it with that greatest possession we have: health.

**Denis Lalancette**  
2nd National VP

### COMPARISON CHART CRA/TREASURY BOARD

CRA SP LEVEL	EQUIVALENT TB (dominant former group)	CRA max after conversion	TB max	Difference
1	CR-2	35326	34101	3.59%
2	CR-3	40504	39040	3.75%
3	CR-4	44904	43286	3.74%
4	PM-1	50215	48430	3.69%
5	PM-2	54351	51989	4.54%
6	PM-3	58808	55724	5.53%
7	PM-4	63630	61047	4.23%
8	PM-5	74781	72919	2.55%
9	AS-6	83007	81046	2.42%
10	PM-6	93669	90420	3.59%
Straight Average				3.76%

This chart does not take into consideration the economic increases of 2.5 % per year that were negotiated in the contract.

## *the president's corner*

### Participation in the Selection Process

In March of 2001, a resolution was passed by the UTE Presidents' Conference and the National Executive Council:

***"Be it resolved that the UTE Executive Council compose a directive to its members advising them that they refrain from participating on selection boards, unless it is part of their Job Description duties."***

Thus, we requested that members not volunteer or agree to sit on selection boards unless they are required to do so as part of their job. We continue to receive queries regarding this directive.

While we (UTE) understand the reasons members would want to experience such board roles, be it career aspirations, competencies, self-learning, or to see the other side, UTE cannot support its members' involvement unless the participation is within their job description.

As a result, we have not changed our position and maintain that members should work within their job descriptions. Local Executive and Stewards shall not sit as Board members. Work done outside of job descriptions and specifically the staffing regime, may not be protected by the Collective Agreement, and those not selected for positions/promotions, may seek recourse.

**Betty Bannon**  
National President

# 2007 UTE SCHOLARSHIPS AWARDED

The Union of Taxation Employees each year offers two \$2500 National Scholarships and ten \$1000 Regional Scholarships. The scholarships are available to members in good standing of the UTE, their spouse and/or their children.

The winners of the 2007 National Scholarships are Aisha Omar (Greater Toronto), winner of the Diana Gee Scholarship Fund and Catherine Kenny (Atlantic).



Aisha Omar



Catherine Kenny

## THE WINNERS OF THE REGIONAL AWARDS ARE

RECIPIENT	REGION	RECIPIENT	REGION
Geneviève Plante	Montréal	Kristen Stoddart	Rocky Mountains
Jenna Leach	Prairie	Keegan Burt	Greater Toronto
Claudia Fradette	Québec	Karly Campbell	Ontario - Southwestern
Stephanie Walters	Atlantic	Heather Giles	National Capital
Renee Labrosse	Pacific	Tannis Martin	Ontario – Northern and Eastern

## Congratulations to all !

### UTE DUES INCREASE FOR 2008 WILL NOT BE IMPLEMENTED

The following resolution was passed at the September 2007 executive council meeting:

**Whereas** the Union of Taxation Employees By-Law 5, MEMBERSHIP DUES, Section 1 state's: The monthly per capita dues for membership in UTE shall be set by the Convention. The Executive Council may lower the monthly union dues payable to UTE when exceptional circumstances occur.

**And whereas** during the debate at the 2005 convention a commitment was made that the finance committee would monitor the proposed dues increase.

**And whereas** the UTE National Finance committee has met and reviewed the budget against the up to date financial statements.

**Be it resolved that** the upcoming dues increase of \$00.25 per member per month that is to come into effect on January 1<sup>st</sup> 2008 not be implemented.

*Bob Campbell 1<sup>st</sup> National VP*

### CHANGE OF ADDRESS

Please note that all address changes should be done via e-mail to Sylvie Bastien ([basties@ute-sei.org](mailto:basties@ute-sei.org)) or via the national web site. If you do not have access to an e-mail, please pass it on (with your PSAC ID) to a local representative or mail it directly to the National Office at

233 Gilmour Street, Suite 800, Ottawa ON K2P 0P2.



## A FEW WORDS ON CONVENTION

Every three years, the Union of Taxation Employees holds a Triennial Convention. At these conventions we elect our National and Regional Officers, pass a budget, discuss and vote on Policy Papers and resolutions that set the direction of our union.

The next convention will be held July 16<sup>th</sup> to 19<sup>th</sup>, 2008 in Vancouver, British Columbia. The National Office will be issuing a series of convention bulletins covering a wide range of Convention information: Why we have conventions, how they are run, what are the duties of a delegate? These are but a few of the topics covered.



A "Convention Call" which is the formal announcement of the convention is issued, stating the date, place and deadlines for resolutions and requesting names of delegates and observers. The locals are responsible for putting forward the names of their delegates and observers and to write and submit resolutions that they wish to have debated at convention.

Convention Committees are formed and meet to review resolutions that have been submitted either by the Executive Council or locals. The Committees consist of delegates that will be attending Convention and they make recommendations to the Convention of either concurrence or non-concurrence on each resolution. The resolutions submitted are divided by topic for each committee: Finance, General, By-laws and Collective Bargaining.

We encourage all first time delegates to take the PSAC Convention Procedures course to help them prepare for the Convention. Look for more information on the convention on our website and through your local executives.

**Betty Bannon**  
**National President**

## CONVENTION IS COMING!!

Convention is the supreme governing body of the Union of Taxation Employees. The decisions concluded at Convention are binding. UTE By-Laws and Regulations are adopted, modified or rescinded. The Union's administrative budget is adopted including the component's dues increase. Convention occurs every three years.

Each Local is entitled to one (1) delegate with full voting rights for each block of two hundred (200) members in good standing or fraction of this number during the calendar year preceding the Convention; taking into account the month during which the number of members has been the highest in UTE. Every delegate must be a member in good standing of the local. These delegates are charged with the most important tasks of electing, and providing direction to the elected National Officers.



From early morning, to late at night, you as a delegate may find yourself being lobbied: by a candidate, by a delegate, or by an observer endorsing and seeking your support for a bylaw, a positional paper, or any number of issues. You may be involved in a local meeting a regional meeting or even a multiregional meeting. You could engage in dialogue or debate at breakfast lunch or supper. There are candidate meetings and soirées to attend. There is a banquet and a reception and a fun night available as well.

You work hard, spend long hours on the convention floor, but you also meet very wonderful people. You learn an amazing amount about your Union and its workings. You return home exhausted, but oh so much wiser and empowered by the wisdom.

And best of all, you return to your local as a stronger union activist and advocate, with a new found network of sisters and brothers that are available to assist you and or counsel you at a phone call's notice.

**Convention is a Solidarity Building Function.**



## INCREMENTAL PAY RATES – FRIEND OR FOE?

The Incremental Pay System is a pay system that requires an individual to start at a minimum pay level and as they accumulate service and perform at a satisfactory level move to the next pay level, eventually reaching the maximum or top level. Information on the administration of Pay Increments within the CRA can be found in the Treasury Board – Terms and Conditions of Employment Policy and in the Pay Notes of our Collective Agreement. Within the policy the employer can withhold an increment if they do not believe an employee has performed at a satisfactory level during their Incremental Period. An Incremental Period is defined as twelve months between steps unless otherwise stated in the Collective Agreement. In our previous Collective Agreement we had a number of different Incremental Pay Rates that ranged from a low of three steps to a high of eight.

So what is the intent of an Incremental Pay System? The intent is to pay an employee on an ascending pay scale over a period of time as they learn all the duties of a position. Example, someone who just starts at a position cannot perform all the duties of a position the day they start work but as they learn the job and receive some training they become fully capable of performing all of the duties satisfactorily. So over time their salary will increase at regular increments until they reach the maximum level for that position. **But in reality, it's an employer driven pay system that starts someone at the lowest salary level and over time; every twelve months, not performance, work their way through the steps until they reach the maximum level which in fact is what the position is actually worth.** This is where theory and reality don't meet. In reality it only takes a year or two to be at a "satisfactory" performance level in all of the duties. So why does it take more years to reach the maximum level? Simple, it allows the employer to get away with underpaying for the work that our members are performing.

So another question to think about is how long does it take in your current job to be fully capable of completing all of the duties "satisfactorily"? Six months, one or two years? How about six or seven years? If you said one year then you should only have two steps, two years would mean three steps. That being said why did we have some pay rates with seven and eight steps? We seem to have allowed it to happen to ourselves every time the employer has offered an increment and we have accepted it without getting the number of steps reduced.

During this round of Collective Bargaining with the Agency some members were asking why are we not asking for an Increment like PIPSC? Lets first look at what happens when an Increment is added. When a new step is added without dropping the first step we are saying that it now takes another year of working for less pay to be paid at what you are really worth and only members at the top level will receive any immediate benefit. But what happens when an increment is added at the top and one is dropped at the bottom. We still have the same number of levels thus it still takes the same number of years to reach the maximum level, but only members at the top and bottom will benefit immediately with those member in the middle now having to work another year before reaching the maximum level. Again in both cases the employers gets away with paying our members less than what the work they are doing is actually worth.



(Continued from page 1)

**Your Union is of the opinion that bargaining for Increments is counter productive and not in the best interest of all the members and the maximum number of levels for any position should be three and most should only have two.**

What would we rather have, the current situation or a three-step process for all, a COLA clause and your Union bargaining for a decent wage increase every two to three years? Remember, the longer it takes a member to reach the maximum level the longer the employer gets away with paying less than they should.

With the advent of the new ACS-SP classifications, we have gone to 5 increments. The Union wanted three but the employer came back with five increments which also included salary increases over the yearly percentage increases. You, our members, have voted to accept this new Collective Agreement. The Union will be looking to reduce the number of increments during the next round of bargaining.

In Solidarity,

Betty Bannon  
National President

### **LEAVE WITHOUT PAY FOR EXTENDED PERIODS – CALL YOUR UNION**

CRA as your employer has a policy that allows them to force employees who have been on leave without pay (e.g. for medical reasons, Article 54); to decide between a medical retirement, a resignation, or a termination of employment after a period of two years.

This policy is applied on you as rigorously as possible by CRA. Should you be the recipient of this type of letter from the employer, contact a UTE representative immediately. You need the assistance of your Union because we have experience dealing with these matters, and we have your interest at heart. You can certainly rely on CRA management or Human Resources, but be aware that their interests are not always the same as yours. As a matter of fact, anytime you are in a situation that requires you to take leave for long periods of time, you should contact your UTE representative to ensure that everything is done properly.

Your Local UTE representatives are there to assist you, and they have the direct assistance of the Labour Relation Officers of the National Office who are well versed in the pitfalls, and there are many to avoid. **Be proactive, learn and know your rights.**

Don't find yourself as many others have, in an irreversible position, and then say, "I should have called my union at the beginning of all this."

**UTE IS THERE FOR YOU. DO NOT THINK THAT YOU ARE ON YOUR OWN.**

Pierre Mulvihill,  
Labour Relations Officer



## LETTER TO THE EDITOR

Something that needs to be said regarding Membership Activism.

I recently completed the Developing Membership Activism Seminar with facilitator Shane O'Brien and I have to say what an eye-opening experience. This seminar taught me things about myself that I was not even consciously aware of. The first and probably most important is that sometimes we are more like the employer than we would like to admit within our own locals. We often times pick and choose whom we would like to see run because of loyalty to friendships, not because of merit which is unfortunate because many strong union activists are passed over for executive positions because the "other guy" has all of his or her friends backing him or her. Too bad we are doing the members such a disservice, too bad we are blinded by our own needs rather than the needs of those who we are supposed to be serving.

A message needs to get out on a grassroots level and that message is that we are all in this together and that we will be held accountable and responsible for our actions. Our membership should guide us not our friendships with the executive council or even our friendships with the Regional Vice Presidents. Understand, that I have only the utmost respect for any member who becomes a union activist or is currently a union activist...but these times are a changing and maybe, just maybe you're failing to change with the times. So take a good look at yourselves and look at what you've done. What have your motivations been? Who are you more concerned with yourselves or your members? What are your members saying? And lastly and probably the most important question..... Have you been listening?

**Christine McLennan**  
Winnipeg

What a fine example of the benefit(s) of embracing change. Our Bargaining Team took the challenge of a recent change in bargaining methodology and with diligence, perseverance and a clear vision was successful in negotiating a new collective agreement in an historic time frame. This remarkable achievement is to be applauded and celebrated.

It is timely, perhaps, to consider yet another change – one related to the post bargaining process. A Ratification Vote is always preceded by provisions defined in the PSAC Regulation 15. This regulation clearly states, among others, that (1) “Locals/Branches are responsible for ensuring members receive adequate information upon which to make a decision to vote. (2) Wherever possible, ratification votes shall be held at meetings conducted for the purpose of explaining the terms of the memorandum of settlement.” Nowhere, however, is there mention of mandatory attendance at such meetings before being permitted to vote. Such a requirement, enforced by tiled doors, not only contradicts Federal, Provincial and Municipal voting legislation, but violates the very foundation of the term Democracy; that being “ the acceptance and practice of the principle of equality of rights, opportunity and treatment”. Who gives authority to exclude or bar a voter (a card carrying, dues paying union member) from a Ratification vote, through enforcement of an imposed interpretation of a procedure? A procedure that is restrictive, manipulative and somewhat suspect. In an age of immediate communication and sources of readily available, up to the minute information, the PSAC Regulation 15, as currently interpreted, is well past its expiry date. It is time to take example from our Bargaining Team. Let us embrace innovation and change to examine Regulation 15, discover the source of the arcane interpretations and find ways to achieve what was originally intended. It is unreasonable to continue a procedure that restricts and drives away rather than encourages all UTE members to exercise their right to vote.

Ken R Sterling  
Local 20029



## LETTER TO THE EDITOR

When the father of my son's best friend passed away suddenly in the fall of 2005, he left a wife, two young sons and a 25 foot Catalina sailboat he had just bought to learn to sail with his son. In the summer of 2006 my son and I volunteered to help get "Aqua Jewel" in the water and go sailing. The "lads" idea of sailing was to "cruise down the bay". My idea however was quite different - I wanted to race. Against their better judgement the lads let me enter us in the last few club races at the Bay of Quinte Yacht Club in the 2006 season. We won our second race! From that moment on I was sailing with two 13 year olds with the racing bug. This year in our first full season of club racing we captured 1<sup>st</sup> place in the Burroughs Regatta and 1<sup>st</sup> place in the Club Championship in the White sail division. I had the honour and privilege to be awarded the Freeman Burroughs Cup in recognition of my efforts in developing young sailors. This winter we will be volunteering our time to help refurbish the 38-foot wooden R-Boat "Shadow", which was built in 1928 when R-Boats were on the leading edge of racing sailboat design.

John Andrews, Belleville Local 00012

